



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,206	05/02/2001	Babak E. Arfaa	081601.00001	7261
25223 7590 06/04/2008 WHITEFORD, TAYLOR & PRESTON, LLP ATTN: GREGORY M STONE SEVEN SAINT PAUL STREET BALTIMORE, MD 21202-1626				
EXAMINER				
LIN, WEN TAI				
ART UNIT		PAPER NUMBER		
2154				
MAIL DATE		DELIVERY MODE		
06/04/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

09/846,206

**Applicant(s)**

ARFAA, BABAK E.

**Examiner**

Wen-Tai Lin

**Art Unit**

2154

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 6-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date: \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 6-22 are presented for examination. Claims 12-22 are newly added.
2. The affidavit under 37 CFR 1.132 filed 5/12/2008 is sufficient to overcome the rejection of claims 6-11 under 35 USC 102(e) and 103(a) based upon Bain et al.
3. The text of those sections of Title 35, USC code not included in this action can be found in the prior Office Action.

### ***Claim Rejections - 35 USC § 112***

4. Claims 12-22 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Specifically, the features of: claims 11 and 15 requiring RFID and website be considered as communication methods; claim 12 requiring establishment of a database populating the database with license plate information, followed by creating an electronic account as a destination address for a plurality of communication methods; claims 17 -19 requiring the communication methods to include VOIP, coded messages, website; and claims 20-21 requiring

establishment of a user profile, etc. are not found in the disclosures. It is noted that these features are either added to the amended claim 11 or included in new claims 12- 22, consequently they are considered new matter added to the claims.

***Claim Rejections - 35 USC § 102***

5. Claims 6-10, 12-13, 16 and 19-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Wertheim [U.S. Pat. No. 6269372].
6. Wertheim as listed in the prior art of record in the previous office action.
7. As to claim 6, Wertheim teaches the invention as claimed including: a system for communicating with a motorist, comprising:  
  
a repository in which a vehicle is assigned an electronic address according to its license plate registration number; and a messaging service that enables the motorist to be contacted at the electronic address assigned to said license plate registration number [e.g., Abstract; Figs. 1A-1C].
8. As to claim 7, Wertheim further teaches that an algorithm coordinates a plurality of electronic addresses for each license plate registration number [e.g., col.2, lines 24-52].

9. As to claim 8, Wertheim further teaches that the motorist can simultaneously communicate over each of said plurality of electronic addresses [e.g., col.4, lines 39-51; i.e., the registered license plate-related database allow a plurality of users to lookup associated email addresses for communication].

10. As to claim 9, Wertheim teaches the invention as claimed including: a system for communicating with a motorist, comprising: a repository in which a vehicle is assigned a wireless telephone address according to its license plate registration number; and a wireless telephone service that enables the motorist to be contacted at the telephone address assigned to said license plate registration number [e.g., col.2, lines 12-52].

11. As to claim 10, Wertheim further teaches that said wireless telephone address comprises a cellular phone number [col.4, lines 48-50].

12. As to claim 12, Wertheim teaches the invention as claimed including: a method of providing communication to an electronic account, said method comprising:

establishing a database;

populating said database with license plate information;

creating an electronic account based on said license plate information; and enabling said electronic account as a destination address for a plurality of communication methods [e.g., col.4, lines 12 – 60].

13. As to claim 20, Wertheim further teaches that said step of creating an electronic account further comprising establishing a user profile [e.g., Abstract].

14. As to claims 21-22, Wertheim further teaches that said user profile comprises information selected from the group consisting of: name; age; gender; vehicle type; and combinations of the above, [e.g., col. 2, lines 16-23], wherein said license plate information comprises a registration number and state of issue [e.g., co.4, lines 16-23].

15. As to claims 13, 16 and 19, since the features of these claims can also be found in claims 9 and 12, they are rejected for the same reasons set forth in the rejection of claims 9 and 12 above.

***Claim Rejections - 35 USC § 103***

16. Claims 11, 14-15 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wertheim [U.S. Pat. No. 6269372], as applied to claims 6-10, 12-13, 16 and 19-22 above.

17. As to claims 11, 14-15 and 17-18, Wertheim teaches that the electronic address is standardized for use with email, websites, or telephone communication [Abstract; col. 2, lines 12-52].

Wertheim does not specifically teach that the electronic address is also standardized for instant messaging and RFID.

However, communication over instant messaging, RFID, VOIP and coded messages (such as MIME coded email messages) are well known in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include instant instant messaging, RFID, VOIP and coded messages in Wertheim's communication method between the drivers because adopting all these known communication means would enable more users to use Wertheim's system for various communications.

**18.** A shortened statutory period for response to this action is set to expire 3 (three) months and 0 days from the mail date of this letter. Failure to respond within the period for response will result in ABANDONMENT of the application (see 35 U.S.C. 133, M.P.E.P. 710.02, 710.02(b)).

### ***Conclusion***

**Examiner note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Tai Lin whose telephone number is (571)272-3969. The examiner can normally be reached on Monday-Friday (8:00-5:00) .

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (571)272-1915. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(571) 273-8300 for official communications; and

(571) 273-3969 for status inquires draft communication.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wen-Tai Lin

June 3, 2008

/Wen-Tai Lin/

Primary Examiner, Art Unit 2154